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To: microsoft.atr(a)usdoj.gov
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Subject: Microsoft Settlement

What were you thinking?

The proposed settlement fails in so many respects it is incredible. The agreement gives all the power to MS to decide what the agreement means.

In particular, the agreement has no sanctions to stop Microsoft from requiring that OEM customers must not offer other Operating Systems, or to stop Microsoft from being able to charge OEM customers for every unit, whether or not an OS is requested.

As a result of Microsoft's monopolistic conduct, it is now impossible to buy, for example, a Toshiba laptop, which does not have, and never had, an operating system on it. Toshiba will not remove the wincrap, and will not rebate the price, because to do so would be in breach of its contracts with Microsoft. So **everyone** who wants Toshiba hardware, **must** pay the Microsoft tax.

The settlement agreement is sadly broken, and should not be ratified.

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